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U.S. DISTRICT COURT  
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January 10, 2003

The Honorable Patti B. Saris  
United States District Court  
for the District of Massachusetts  
One Courthouse Way  
Suite 6130  
Boston, Massachusetts 02210

**Re: In re Pharmaceutical Industry Average Wholesale Price Litigation,  
MDL No. 1456, 01-CV-12257-PBS**

Dear Judge Saris:

We represent defendant AstraZeneca Pharmaceuticals L.P. in the above captioned matter, and I have been chosen by defendants to act as the coordinating defense counsel on behalf of the group. In that capacity, I write on behalf of all defendants about the argument on the motions to dismiss scheduled for Monday, January 13, 2003.

We have discussed with plaintiffs' counsel the best use of our time in front of Your Honor and the need to limit the number of counsel presenting argument. Subject to Your Honor's wishes, the parties would propose to present argument on the core common issues: justiciability and the legislative and regulatory history of AWP under the Medicare program; preemption; RICO; and Rule 9(b). We will also address more briefly the filed-rate doctrine and other issues. In an effort to promote efficiency and to alleviate the burden on the Court of hearing numerous arguments from individual companies on the important individual issues raised in the company-specific briefs, defendants are prepared simply to refer the Court to those briefs and propose not to present additional speakers on company-specific issues.

In addition, counsel for Schering-Plough Corporation and Warrick Pharmaceuticals Corporation, Mr. O'Connor, will address briefly Schering's separate motions to strike and for a more definite statement, if the Court wishes to hear argument on those motions.

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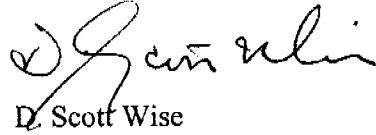
The Honorable Patti B. Saris

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Finally, the parties are in the process of preparing in electronic form compilations of our briefs with computer links to the underlying material cited in them, and we expect to be able to provide those to the Court shortly after the argument.

Respectfully yours,



D. Scott Wise

cc: Counsel for All Parties (by Verilaw)